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10/561,373	09/07/2006	Christian Amiens	W51.12-0024	9740

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EXAMINER
RASHID, HARUNUR

ART UNIT	PAPER NUMBER
2458	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/561,373	AMIENS, CHRISTIAN
Office Action Summary	Examiner	Art Unit	
	HARUNUR RASHID	2458	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *4/9/2009*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1 and 3-22* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1,3-22* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1, 3-22 are pending in this examination.

Claim Rejections - 35 USC § 103

        The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

2.   Claims 1, 3-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Andy Stanford-Clark, (herein after Andy), WebSphere MQ Development, IBM Software

Group, Integrating Monitoring and Telemetry Devices as Part of Enterprise Information

Resources, March 2002, pp. 1-13., in view of Petite, Patent No US7103511.

As to claim 1, Andy discloses system for remote control of equipment enabling

interconnection between at least one server (Page 5, lines 2-5) and at least one remote

equipment using the MQIsdp protocol (Page 9, lines 1-5), wherein the system

associates with at least one of the said remote equipment (Page 5, lines 1-5), radio

communication means (page 12, lines 2-6) capable of sending and receiving AT type

commands sent by and/or to be sent to an external application used by the said remote

equipment (Page 9, lines 15-17), wherein the said radio communication means (page

12, lines 2-6) are provided with a set of special AT commands for exchanging data with

at least one server using the said MQIsdp protocol (Page 9, lines 15-22), so as to

enable an interconnection between the said at least one server (Page 5, lines 2-5) and

the said remote equipment through the said radio communication means (Page 9,
lines,1-5, Page 5, Lines 1-7) without requiring knowledge of the said MQIsdp protocol
in the said remote equipment (Page 10, lines 1-4).

Andy Fails to discloses, wherein, in at least a first mode the said radio
communication means only manage signaling of a data exchange the said data being
transferred directly from remote equipment to a server, or vice versa. However Petite
teaches at wherein, in at least a first mode the said radio communication means (page
12, lines 2-6) only manage signaling of a data exchange the said data being transferred
directly from remote equipment to a server, or vice versa (Fig. 2, Col. 6, Lines 45-60).

It would have been obvious to one of ordinary skill in the art at the time of
invention to combine the teaching of Petite with the teaching of Andy by including the
feature of transferring data directly from remote equipment to a server, or vice versa in
order for Andy's system to collect, format, and control client application specific
processes.

As to claim 3, Andy discloses system for remote control of equipment wherein in at
least a second mode the said radio communication means (page 12, lines 2-6) manage
signaling of a data exchange and transfer of the said data, the data being temporarily
stored in at least one buffer memory (Page 3, lines 12).

As to claim 4, Andy discloses system for remote control of equipment according to claim 3, wherein the size of the said at least one buffer memory is parameterable (Page 8, lines 4-8, Page 8, lines 28-30).

As to claim 5, Andy fails to discloses system for remote control of equipment wherein the system operates in the said first mode when the size of the said at least one buffer memory is equal to 0, and otherwise in the said second mode. However Petite teaches, system for remote control of equipment wherein the system operates in the said first mode when the size of the said at least one buffer memory is equal to 0, and otherwise in the said second mode (Col. 7, lines 30-40).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teaching of Petite with the teaching of Andy by including the feature of changing mode of buffer memory in order for Andy's system to transfer information to the server or save in the remote device.

As to claim 6, Andy discloses system for remote control of equipment according to claim 1, wherein the said radio communication means comprise a radio communication module comprising all radio frequency (Page 12, lines 2-11) and base band data processing means on the same substrate (Page 3, lines 1-14, Page 12, lines 16-20), together with means of managing the said AT commands (Page 9, lines 15-20).

As to claim 7, Andy discloses system for remote control of equipment according to claim 1, wherein the said radio communication means include the said MQlsdp protocol in the form of an "open-AT" application defining the said set of special AT commands (Page 10, lines 1-4, Page 9, lines 15-20).

As to claim 8, Andy discloses system for remote control of equipment wherein the said set of special AT commands includes commands for: connecting to one of the said servers (Page 9 lines 1-8, Page, 5 lines 1-7, Page 2); sending messages (Page 9, lines 24-27, Page 3, lines 1-8, Page 3, lines 22-24, Page 8, lines 14-32); receiving messages (Page 5, lines 12-17, Page 8, lines 31-32, Page 12, lines 2-11).

As to claim 9, Andy fails to disclose system for remote control of equipment wherein at least some of the said special AT commands is organized so as to be able to perform at least two functions and/or to act on at least two distinct aspects, as a function of a predefined configuration. However Petite discloses system for remote control of equipment wherein at least some of the said special AT commands are organized so as to be able to perform at least two functions and/or to act on at least two distinct aspects, as a function of a predefined configuration (Col. 11, lines 11 – 15, lines 2-5, col. 1, lines 31 - 36).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teaching of Petite with the teaching of Andy by including feature of organizing special AT commands to perform at least two functions in order for

Andy's system to identify an appropriate control signal, and applying the control signal

at a designated actuator.

As to claim 10, Andy discloses system for remote control of equipment according claim

1, wherein the said set of commands only includes 8 commands (Page 6, lines 1-14,

Page 8, lines 13-32, Page 9, lines 4-14, Page 10, lines 7-19).

As to claim 11, Andy discloses system for remote control of equipment according to

claim 1, wherein the said set of special AT commands includes a configuration

command used to define communication parameters with one of the said servers (Page

3, lines 1-12, Page 5, lines 1-7, Page 9, lines 24-27).

As to claim 12, Andy discloses system for remote control of equipment according to

claim 11, wherein the system uses a single configuration command (+WSPGSET) for

configuration of radio communication aspects (Page 9, lines 24-27) and the general

configuration of aspects related to the MQIsdp protocol (Page 3, lines 1-8, Page 3, lines

22-24, Page 8, lines 14-32, Page 9, lines 1-8 & 24-27).

As to claim 13, Andy discloses system for remote control of equipment according to

claim 10, wherein the said configuration command can be used to select one of at least

two transmission modes (GSM or GPRS) (Page 6 , Left col., line 1-8, Page 5, lines 1-7,

Page 9, lines 1-8).

As to claim 14, Andy discloses system for remote control of equipment according to claim 1, wherein the system uses three configuration commands: a general communication configuration command (+WSPGSET) (Page 9, lines 24-27, Page 3 , line 1-8); a connection configuration command (+WSPCSET) (Page 9, lines 24-27, Page 3 , line 1-8), particularly used to specify the coordinates of a server (Page 5, lines 1-7, Page 8, lines 14-32, Page 9, lines 24-27); a configuration command for the "will" configuration message (+WSPWMS) (Page 9, lines 24-27, Page 5, lines 1-7), particularly to specify the channel to which a message will be sent (Page 3 , line 1-12, Page 9, lines 24-27).

As to claim 15, Andy discloses system for remote control of equipment according to claim 1, wherein the system uses at least one general communication command for sending and/or receiving messages using the MQIsdp protocol (Page 3, lines 1-8, Page 9, lines 24-27).

As to claim 16, Andy discloses system for remote control of equipment according to claim 15, wherein the system uses five general communication commands: a command for specifying an (Page 9, lines 15-22), context (+WSPDCONT); a command for managing a connection with a server (+WSPCONM) (Page 9 lines 1-8, Page, 5 lines 1-7, Page 2, lines 16-24); a command for sending a message (+WSPSMSG) (Page 3, lines 1-8, Page 8, lines 14-32, Page 9, lines 24-27); a command for receiving a

message (+WSPRMSG) (Page 5, lines 12-17, Page 8, lines 31-32); an administration

command used to do a reset and/or return to the default values of a set of parameters

(+WSPPA) (Page 9, lines 24-27, Page 3, lines 1-8, Page 8, lines 14-32).

As to claim 17, Andy discloses system for remote control of equipment according to

claim 1, wherein the system uses at least one query command by an external

application (Page 7, lines 26-28, Page 3, lines 1-8).

As to claim 18, Andy discloses system for remote control of equipment according to

claim 17, wherein the system uses two query commands by an external application

(Page 7, lines 26-28), on the following in turn the current state of the connection

(+WSPICON) (Page 3, lines 1-8, Page 3, lines 22-24, Page 5, lines 1-7); reception

and/or sending of a message (+WSPIMSG) (Page 3, lines 22-24, Page 5, lines 12-17).

As to claim 19, Andy discloses device for remote control of equipment enabling

interconnection between at least one server (Page 5, lines 2-5) and at least one remote

equipment according to the MQIsdp protocol (Page 9, lines 1-5, Page 5, Lines 1-7),

wherein the device associates, with at least one of the said remote equipment (Page 5,

lines 1-5), radio communication means (page 12, lines 2-6) capable of sending and

receiving AT type commands sent by and/or to an external application used by the said

remote equipment (Page 9, lines 15-17), and wherein the device uses a set of special

AT commands in the said radio communication means for exchanging data with at least

one server using the said MQlsdp protocol(Page 9, lines 9-24), so as to enable an

interconnection between the said server(s) (Page 5, lines 2-5) and the said remote

equipment through the said radio communication means(Page 9, lines,1-5, Page 5,

Lines 1-7, Page 2, lines 16-24) , without requiring additional processing and/or data

formatting means in the said remote equipment (Page 3, lines 1-8, Page 3, lines 22-24,

Page 5, lines 1-7, Page 8, lines 14-32, Page 9, lines 24-27).

      Andy Fails to discloses, radio communication means only manage in at least a

first mode signaling of a data exchange the said data being transferred directly from

remote equipment to a server, or vice versa. However Petite teaches radio

communication means only manage in at least a first mode signaling of a data

exchange the said data being transferred directly from remote equipment to a server, or

vice versa (Fig. 2, Col. 6, Lines 11-15) .

      It would have been obvious to one of ordinary skill in the art at the time of

invention to combine the teaching of Petite with the teaching of Andy by including the

feature of transferring data directly from remote equipment to a server, or vice versa in

order for Andy's system to collect, format, and control client information.

As to claim 20, Andy discloses a radio communication device comprising radio

communication means used in a system for remote control of equipment (Page 12, lines

2-4, Page 5, lines 1-7).

As to claim 21, Andy discloses a radio communication module comprising radio

communication means used in a system for remote control of equipment according to

claim 1(Page 12, lines 2-4, Page 5, lines 1-7).

As to claim 22, Andy discloses a set of AT commands used in a system for remote

control of equipment according to claim 1, wherein the set of AT commands enables

data exchange with at least one server using the said MQIsdp protocol (Page 3, lines 1-

8, Page 9, lines 15-27).

Response to Arguments

3.   Nonstatutory Double Patenting rejection is withdrawn. A Terminal Disclaimer

was filed on 4/9/2009 and approved.

4.   Specification objections are withdrawn.

5.   Applicant's arguments have been fully considered but they are not persuasive.

      On page 10 of the Applicant's Response, applicants argue that "the notion of AT

commands is not at all suggested in the IBM document. Moreover, there is nothing in

the IBM document that discloses or suggests the using of a set of specific AT

commands, enabling an external application to manage the data exchanges between a

remote terminal and a broker without the external application knowing the MQIsdp

protocol." The Examiner respectfully disagrees with Applicant's arguments; the

examiner submits that IBM document discloses "the protocol has a very basic
publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe; and
an application-level keepalive: pingrequest and pingresponse. Message
acknowledgment verbs are used to manage the assured message delivery (page 9,
lines 24-27). Also see "When an MQIsdp client connects to the broker, it can optionally
specify a special message and topic, and a keepalive time, specified in seconds. If the
client fails to publish anything to the broker during the keepalive time the broker
assumes the client was unexpectedly disconnected and closes the client connection.
The broker then publishes the special message using the specified topic on behalf of
the client." (Page 10, lines 20-27). The examiner interprets "connect, disconnect,
publish, subscribe, unsubscribe; and an application-level keepalive: pingrequest and
pingresponse" are AT comments.

Therefore, in view of the above reasons, the rejections are maintained.

Conclusion

7.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of
time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE
MONTHS from the mailing date of this action. In the event a first reply is filed within
TWO MONTHS of the mailing date of this final action and the advisory action is not
mailed until after the end of the THREE-MONTH shortened statutory period, then the
shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8.　　The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

a.　　Luzeski et al. (Patent No. US 6430117 B1) discloses enable communication and control between and among the different message stores.

b.　　O'Neal (Patent No. US 6411685B1) discloses System and method for providing unified messaging to a user with a thin web browser.

9.　　Examiner's Note: Examiner has cited particular columns/paragraphs/pages and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HARUNUR RASHID whose telephone number is

(571)270-7195. The examiner can normally be reached on Monday - Friday 9:00 AM to

5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph E. Avellino can be reached on 571-272-3905. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. R./
Examiner, Art Unit 2458

/Joseph E. Avellino/
Supervisory Patent Examiner, Art Unit 2458